

Appl. No. 09/867,893
Amendment and/or Response
Reply to Office action of 13 October 2004

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REMARKS

Claims 1-13 are pending in this application.

The Office action objects to claim 10; claim 10 is amended as required in the Office action.

The Office action rejects claims 6-13 under 35 U.S.C. 102(e) over Shamir (USP 6,507,913). The applicants respectfully traverse this rejection.

The Examiner's attention is requested to MPEP 2131, wherein it is stated:

"A claim is anticipated only if *each and every element* as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The *identical invention* must be shown in as *complete detail* as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Claim 6, upon which claims 7-9 depend, claims a device comprising a controller that is configured to decouple a capacitor from a power source at a first time, interrupt a processor at a second time, and discharge the capacitor at a third time, wherein the third time is dependent upon an interval between the second and third times of a prior sequence of interrupting the processor and discharging the capacitor.

Shamir does not teach basing a third time at which a capacitor is discharged based on an interval between second and third times of a prior sequence of interrupting the processor and discharging the capacitor, as specifically claimed.

Similarly, claim 10, upon which claims 11-13 depend, claims a method of masking power consumption of a processor comprising decoupling an internal power source from an external power source at a first time, interrupting the processor at a second time, reducing the voltage on the internal power source at a third time, and modifying the third time for a subsequent repetition of the method, based on an interval between the second time and the third time.

Shamir does not teach modifying a third time at which the voltage on the internal power source is reduced for a subsequent repetition of the method, based on an interval between the second time and the third time, as specifically claimed.

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The Office action rejects claims 1-5 under 35 U.S.C. 103(a) over Shamir and Doittau et al. (USP 3,790,890, hereinafter Doittau). The applicants respectfully traverse this rejection.

The Examiner's attention is requested to MPEP 2142, wherein it is stated:

"To establish a *prima facie* case of obviousness ... the prior art reference (or references when combined) *must teach or suggest all the claim limitations*."

Claim 1, upon which claims 2-5 depend, claims a data carrier comprising time measurement means that are adapted to measure a processing time interval defined as the time interval from a turn-on instant until an interruption instant, and voltage supply means that are adapted to adapt a consumption time interval to the measured processing time interval.

Neither Shamir nor Doittau teach or suggest adapting a consumption time interval to a measured processing time interval from a turn-on instant until an interruption instant, as specifically claimed.

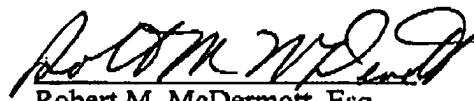
The Office action notes that Shamir teaches that a turnover time, at which a capacitor is switched from providing power to receiving power, is based on counting a certain number of instructions (Shamir, column 3, lines 22-25). The applicants respectfully note, however that this switchover time does not correspond to the applicants' claimed discharge time, and further, Shamir does not teach that the "certain number of instructions" is based on a prior measurement of a time between an interruption of a processor and a time of discharging the capacitor.

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In view of the foregoing, the applicants respectfully request that the Examiner withdraw the rejections of record, allow all the pending claims, and find the present application to be in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,



Robert M. McDermott, Esq.

Reg. No. 41,508
804-493-0707